

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
)	
v.)	CRIMINAL NO. 04-10293-JLT
)	
)	
ANTHONY P. RAYMOND,)	
Defendant.)	

REVISED NOTICE OF GOVERNMENT'S SUMMARY OF EXPERT TESTIMONY

Pursuant to the Fed. R. Crim. P. 16(a)(1)(E), the government hereby discloses a written summary of the testimony and qualifications of Brian H. Lombard, Jr., a firearms and ammunition expert who will testify at trial. With respect to the substance of Mr. Lombard's testimony, he will testify regarding the operation of rifles and specifically, about how the action of pulling back the slide causes a round to be chambered, preparing the rifle to shoot as well as the nature of the particular assault rifle described in the Indictment (Counts 1 and 2). The basis for Mr. Lombard's opinion is his familiarity with firearms through his experience as a trooper with the Ballistics Section of the Massachusetts State Police. It is anticipated that he will testify that the rifle and associated ammunition (charged in Counts 1 and 3 of the Indictment) are what they appear to be (the rifle is, in fact, an assault-style rifle).

With regard to Mr. Lombard's qualifications, he is a recognized expert in firearms and ammunition. He has been with the Massachusetts State Police for over 16 years, and has been specifically assigned to conduct ballistics investigations since 2002. He is a graduate of the Massachusetts State Police Academy, and also has a Master's degree in Criminal Justice.

He has participated in over 400 examinations and test firings of weapons, and has

conducted over 150 microscopic comparison examinations. He has also participated in numerous fatal shooting investigations. He has attended armorer schools' training courses offered by both Smith & Wesson and Colt Defense Industries. He and the firearms identification section that he works with have received numerous honors from the state of Massachusetts, including for outstanding performance in 2003. Finally, Mr. Lombard is qualified as an expert in firearms identification in the Massachusetts Superior Court for Suffolk County.

Mr. Lombard will testify instead of Mr. Alan Offringa, whom the government had originally offered as a firearms expert. (D. 54, 70).

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ S. Waqar Hasib
PAUL R. MOORE
S. WAQAR HASIB
Assistant U.S. Attorneys

DATE: September 30, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney for defendant ANTHONY P. RAYMOND, Roger Witkin, Esq., on September 30, 2005, via electronic filing

/s/ S. Waqar Hasib
S. WAQAR HASIB
Assistant U.S. Attorney

Brian H. Lombard Jr.

EDUCATION:

- | | |
|------|--|
| 1991 | <i>Master of Arts - Criminal Justice</i>
Anna Maria College
Paxton, Massachusetts |
| 1984 | <i>Bachelor of Science - Marine Engineering</i>
Massachusetts Maritime Academy
Buzzards Bay, Massachusetts |
| 1988 | MASSACHUSETTS STATE POLICE ACADEMY
Framingham, Massachusetts |

EMPLOYMENT:

- | | |
|------|--|
| 1988 | COMMONWEALTH OF MASSACHUSETTS
<i>Massachusetts State Police</i> |
| 2002 | MASSACHUSETTS STATE POLICE
<i>Ballistics Section</i>
<i>Trooper</i> |

(2002 to Present)

Duties: To respond to crime scenes, gather and preserve firearms and firearms related evidence. Attend autopsies, observe wounds and receive evidence projectiles from Medical Examiners office. Conduct test firings of suspect weapons including distance type pattern tests when requested. Perform microscopic examinations of recovered evidence against test specimens from suspect weapon routine test firing of weapons to determine function capability.

EXPERT TESTIMONY:

Qualified as an expert in Firearms Identification.

MASSACHUSETTS SUPERIOR COURTS: Suffolk County

EXPERIENCE:

The field of Firearms Identification is an applied science. While schools teach theory and instruct techniques, hands-on experience provides the foundation of a skilled firearms examiner. Training is similar to an apprenticeship; you learn by working on actual cases with other experts in the field.

Experience to date includes:

Examined and/or test fired in excess of 400 different weapons.
 Conducted upwards of 150 microscopic comparison examinations.
 Participated in numerous fatal shooting investigations.

The Firearms Identification Section uses various references including material from:

Sturm, Ruger Armorsers' school.
 Glock Armorsers' school
 Remington Armorsers' school

HONORS:

- 2005 Certificate of Accomplishment
 Recognition of the Massachusetts State Police partnership to create
 a safer society using the National Integrated Ballistic Information
 Network system
Awarded to the Firearms Identification Section
- 2003 Division Commander's Commendation for Implementation of
 National Integrated Ballistic Information Network(NIBIN)
Awarded to the Firearms Identification Section
- 2003 Commonwealth Performance Recognition Citation for
 Outstanding Performance
Awarded to the Firearms Identification Section

CONTINUING EDUCATION - SCIENTIFIC:

- 2003 SMITH & WESSON ARMORERS' SCHOOL
 Springfield, Massachusetts
 Description: Course on how weapons are manufactured and assembled.
 This was an essential class since a major responsibility of a Firearms
 Identification examiner is to identify the toolmarks which are imparted
 upon a weapon during the manufacturing process. It is those toolmarks
 created during manufacturing that produce the microscopic differences
 that a Firearms Identification examiner looks for during microscopic
 exams.
- 2004 COLT Defence Industries
 Massachusetts State Police Academy
 New Braintree, Ma
 Description: Armorer's course in Colt weapons